

Data Sheet

USAID Mission:	China
Program Title:	Rule of Law
Pillar:	Democracy, Conflict and Humanitarian Assistance
Strategic Objective:	435-003
Status:	Continuing
Proposed FY 2003 Obligation:	\$5,000,000 ESF
Prior Year Unobligated:	\$0
Proposed FY 2004 Obligation:	\$0
Year of Initial Obligation:	FY 2001
Estimated Completion Date:	FY 2004

Summary: USAID's rule of law program in China strengthens the legal infrastructure for an emerging market economy through: education in international and American legal principles and processes, including transparency, due process, and attorney-client obligations. Specific activities under the program include training to improve Internet and e-commerce regulation, thus promoting both business opportunities and human rights through access to information, as well as training in WTO compliance measures and in promoting health care regulations to address HIV/AIDS issues.

Inputs, Outputs, Activities:

FY 2003 Program:

The USAID program has two components (\$5,000,000 ESF). The first is focused on the transparency and effectiveness of the Chinese legal system for its growing role in the global economy and strengthening China's capacity to deal with new challenges to their legal infrastructure. The second component focuses on Tibetan communities in China and is designed to promote sustainable development, preserve their cultural traditions and conserve the environment.

-- The Rule of Law activities will train Chinese judges, law professors, private sector lawyers and other legal professionals in the content and principles of international and American law with an emphasis on treaty obligations, especially WTO compliance; individual rights and legal ethics. Participants spend 15 months studying in the U.S. and at Temple University's Business and Comparative Law Center at Tsinghua University. USAID is actively promoting the advancement of minorities in the Chinese legal profession by seeking out those who have leadership potential for these programs. The program will also work with China's National People's Committee Tort Law Drafting Committee to design an effective tort law for the country. This will give private citizens a legitimate venue to address private disputes, something that currently does not exist. In addition, USAID will bring prominent Chinese legal scholars and U.S. legal experts together to promote legislation regulating the Internet and e-commerce that enables freedom of expression, allows organizing for human rights and other concerns and expands markets for the business community. A similar group will work with Chinese professors and legal health experts to begin developing regulations to ensure an uncontaminated blood supply, promote AIDS detection and treatment and prevent its dissemination.

-- The Tibetan community component is carried out in cooperation with the Department of State's East Asian and Pacific Affairs Bureau and the Special Coordinator for Tibet Issues. Under this activity, USAID will provide assistance that will be implemented through NGOs headquartered outside of China and that can provide the Tibetan communities with access to resources necessary for equitable and sustainable development, cultural preservation and environmental conservation.

FY 2004 Program:

The China Rule of Law program, in FY2004, will be funded under the "Improve East Asia Regional Stability Through Democracy and Human Rights" strategic objective reported in the Regional Programs section.

Performance and Results: USAID has helped strengthen the Chinese legal system by building the expertise of the leaders of the legal profession, including judges and law professors, in international and American constitutional law. Over the past year, through university in-residence programs, conferences and seminars, USAID has trained over 650 members of the legal profession in the importance of independent and impartial judicial and administrative decision-making, treaty obligations and the professional duties of attorneys to clients, tribunals and civil society. In addition, USAID has promoted the advancement of Chinese minorities (non-Han) by seeking out and educating minority legal professionals who can provide the leadership to advance the interests of minority groups. USAID has also created an advisory group to provide mid- to long-range assistance to Chinese legislators, regulators, scholars and judges in developing the legal infrastructure to accommodate China's emerging market economy. In FY 2002, the advisory group worked with the drafters of the Chinese Property Law Code and with the legal professionals responsible for WTO affairs and economic cooperation.

By program completion, the Chinese will have a better understanding of the issues inherent in running an effective legal system that takes individual rights into consideration; they will have the basis for developing effective regulations for the Internet and the health care industry and they will understand better their treaty obligations under the WTO.

US Financing in Thousands of Dollars

China

435-003 Rule of Law	ESF
Through September 30, 2001	
Obligations	0
Expenditures	0
Unliquidated	0
Fiscal Year 2002	
Obligations	2,300
Expenditures	0
Through September 30, 2002	
Obligations	2,300
Expenditures	0
Unliquidated	2,300
Prior Year Unobligated Funds	
Obligations	0
Planned Fiscal Year 2003 NOA	
Obligations	5,000
Total Planned Fiscal Year 2003	
Obligations	5,000
Proposed Fiscal Year 2004 NOA	
Obligations	0
Future Obligations	0
Est. Total Cost	7,300